

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FOSSIL GROUP INC.; MICHAEL KORS, LLC, :
: :
Plaintiffs, : :
v. : : **ORDER**
: : 20-CV-2441 (WFK) (RML)
: :
ANGEL SELLER, LLC; ERIC STERNBERG; :
JOHN DOES 2-5, :
: :
Defendants. : :
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WILLIAM F. KUNTZ, II, United States District Judge:

On October 22, 2021, Magistrate Judge Taryn A. Merkl filed a Report & Recommendation (“R&R”). *See* ECF No. 122. The R&R recommends,

Plaintiffs’ motion be granted in part and denied in part. Plaintiffs’ request for an expedited ruling on Defendants’ motion to amend to add counterclaims should be denied as moot since that motion is being briefed on an expedited schedule in accordance with the Court’s October 8, 2021 Order. Plaintiffs’ motion for clarification regarding the scope of 15 discovery as to prior settlement agreements and enforcement efforts should be granted, and Defendants’ request for disclosure of these items should be denied given Defendants’ failure to establish the relevance of this discovery in light of how the case is currently pled, and its current procedural posture. The Court further recommends denying without prejudice Plaintiffs’ request for clarification regarding certain other discovery requests, such as the spreadsheet of prior purchases, and Plaintiffs’ various methodologies for detecting counterfeiting, since aspects of these discovery disputes are currently under review in the context of other motions. (See Defs.’ Letter Mot. to Compel, ECF No. 79 (redacted) & ECF No. 85 (unredacted).)

R&R at 15.

The parties did not file any objections to the Report and Recommendation, which were due November 5, 2021. The Court reviews a Report and Recommendation for clear error when no objections have been filed. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007) (Garaufis, J.). The Court finds no such error here. The Court therefore adopts the Report and Recommendation of Magistrate Judge Merkl in its entirety.

SO ORDERED.

s/ WFK

HON. WILLIAM F. KUNTZ, II
UNITED STATES DISTRICT JUDGE

Dated: November 8, 2021
Brooklyn, New York